

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JASON RAPPAPORT,

Plaintiff,

-against-

GUARDIAN LIFE INSURANCE COMPANY OF
AMERICA,

Defendant.

Case No. 1:22-cv-08100 (JLR)

ORDER

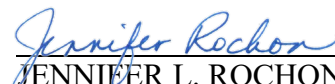
JENNIFER L. ROCHON, United States District Judge:

For the reasons set forth on the record at today's discovery conference, Plaintiff's motion to quash the subpoenas and deposition notices, Dkt. 144, is GRANTED.

The parties are further directed to file by **June 25, 2025**, (1) a status letter informing the Court whether there was any overpayment of benefits prior to January 22, 2021 for purposes of a future set off given the Court's ruling that K-1 earnings are included in pre-disability insured earnings, and (2) a proposed final judgment if the parties agree, and individualized proposals if there is no agreement. The Court will address attorneys' fees as a collateral matter, if the parties do not otherwise agree on such fees. *See Covanta Onondaga Ltd. P'ship v. Onondaga Cnty. Res. Recovery Agency*, 318 F.3d 392, 396 (2d Cir. 2003) ("[A] court that has concluded its adjudication of the merits case within its jurisdiction by entering a final judgment retains authority to take action with respect to some collateral matters related to the case, such as attorney's fees and costs.").

Dated: May 28, 2025
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge